

AO91 (Rev. 12/03) Criminal Complaint

U.S. DISTRICT COURT
DISTRICT OF VERMONT

FILED

UNITED STATES DISTRICT COURT

2006 DEC 18 PM 4:37

DISTRICT OF Vermont

BY [Signature] CLERK
DEPUTY CLERKUNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

Case Number: 2:06-mj--91-1

Sebastien D. Boucher

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 12/17/2006 in Orleans County, in the (Date) District of Vermont defendant(s) did,

(Track Statutory Language of Offense)

knowingly transport in interstate or foreign commerce child pornography by any means, including by computer,

in violation of Title 18 United States Code, Section(s) 2252A(a)(1).

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

Official Title

See Attached Affidavit

Continued on the attached sheet and made a part of this complaint: ☒ Yes ☐ No[Signature]
Signature of Complainant

Mark Curtis, Special Agent, DHS

Printed Name of Complainant

Sworn to before me and signed in my presence,

12/18/2006

Date

at

Burlington

City

Vermont

State

William K. Sessions III

Name of Judge

Chief Judge

Title of Judge

[Signature]
Signature of Judge

AFFIDAVIT

1. My name is Mark Curtis and I am a Special Agent for Immigration and Customs Enforcement of the Department of Homeland Security. I have been a Special Agent for DHS for three years. This affidavit is offered to demonstrate that probable cause exists to believe that Sebastien Boucher knowingly transported child pornography in interstate or foreign commerce by any means, including by computer, in violation 18 U.S.C. § 2252A(a)(1).

2. I have received training in the area of child pornography and have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256(8)) in all forms of media including computer media. Because this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known to me concerning this investigation.

3. At approximately 6:15 P.M. at the Derby Line, Vermont Port of Entry a Sebastien Boucher ("Boucher") approached the border station in a vehicle along with his father Dennis Boucher. A Custom & Border Protection Inspector requested that they pull the vehicle over for secondary inspection.

4. During the secondary inspection Custom & Border Protection Inspector Chris Pike located a laptop computer and Sebastien Boucher acknowledged it was his computer.

5. Inspector Pike conducted an examination of the computer to search for child pornography images. The exam indicated there were approximately 34,000 images of various nature in the computer. Inspector Pike scrolled through some of these images and came across several files that appeared to be Internet Explorer shortcuts. One of these files was entitled "Two year old being raped during diaper change" and another was entitled "Seven-year old giving her

Uncle a blow-job.”

6. Inspector Pike asked Boucher whether the computer contained child pornography images. Boucher responded that he did not know because he was not able to check his temporary internet files. During the questioning Inspector Pike observed that Boucher exhibited signs of nervousness, such as shaking hands and a throbbing carotid artery.

7. Inspector Pike called myself at approximately 7:00 P.M. and I arrived at the scene at approximately 8:00 P.M. I examined the computer and file titles and then began scrolling around and observed several images of adult pornography and animated child pornography. I clicked on the file entitled “Two year old being raped during diaper change,” and this file did not open so I proceeded to the “properties” feature which stated that file was last opened on December 11, 2006 at 4:36 P.M.

8. At approximately 10:00 P.M. I read Boucher his Miranda rights and he signed a waiver form. I then asked Boucher about the file that said “Two year old being raped during diaper change” and Boucher replied that he goes onto a news group on-line and downloads many files and then goes in after and deletes files such as that when he finds them. Boucher stated that he downloads these files on his home computer and then transfers to his laptop so he has access to them while he is traveling.

9. Boucher said he lives with his father at 78 Warner Hill Rd. in Derry, New Hampshire. Boucher is a Canadian Citizen with lawful permanent residence status in the United States.

10. I asked Boucher to use the computer to show me the files he downloads. Boucher showed me certain files, including one called “Pre-teen bondage.” At that point, I resumed control of the computer and started reviewing the video files. I examined the “Pre-teen bondage”

video file and observed what appeared to be a pre-teen undressing and masturbating.

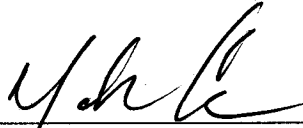
11. I further examined files and found the video file entitled, "Two-year old being raped during diaper change." I opened the file and observed what appeared to be a female toddler lying on her back with an adult naked male who appeared to be about to straddle the child. At that point I turned the video off.

12. I also clicked on a file entitled, "Eleven-year old lesbians" and observed what appeared to be two pre-teen girls engaging in sexual acts, including breast fondling. I also briefly examined the video file, "Seven year old giving her Uncle a blow job," and observed male genitalia and what appeared to be a young girl performing oral sex.

13. I examined another folder called "Model" and clicked files of what appeared pre-teen girls in naked poses, masturbating, and performing sexual acts on one another.

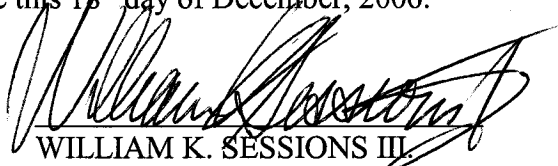
14. I have read the definition of "child pornography" in 18 U.S.C. § 2256(8) and believe that the images I have described above meet that definition.

Dated at Burlington, in the District of Vermont, this 18th day of December, 2006.



Mark Curtis
Special Agent
Immigration and Customs Enforcement
Department of Homeland Security

Sworn to and subscribed before me this 18th day of December, 2006.



WILLIAM K. SESSIONS III
Chief Judge
United States District Court